

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

NOV - 9 2017

Nancy E. Lewen,

Plaintiff,

vs.

Pennsylvania Soldiers and Sailors Home, *et al.*

Defendants,

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

No. 1:17 CV 00148

Magistrate Judge Susan Paradise Baxter

**PLAINTIFF'S OPPOSITION TO MOTION TO CONTINUE HEARING ON INJUNCTION
AND REQUEST TO ATTEND HEARING IN PERSON**

COMES NOW Plaintiff, Nancy E. Lewen, and hereby submits her opposition to Defendants' Motion to Continue Hearing on Injunction, [Doc #48] and her Request to Attend Hearing in Person, which is currently scheduled to be held telephonically at 11:00 am on November 14, 2017.

The reason that the Plaintiff opposes the motion is because the Pennsylvania Office of the Attorney General has lied to this Court in the motion. As evidence, Plaintiff is submitting the PLI schedule, which clearly shows that the Trial Jury CLE is on November 13, 2017 at 9:00 am, NOT on November 14, 2017 as Attorney Michael E. Kennedy stated in his motion. **EXH. PL-30.**

This is the third instance that the Pennsylvania Office of the Attorney General has approached this Court for a continuance because of Attorney Kennedy's alleged scheduling difficulties. The Plaintiff consented to the first request. The Plaintiff did not content to the second request because it was for no other purpose except to obstruct justice and cause unnecessary delay in moving these

proceedings along. In the second instance, Attorney Kennedy asked the Plaintiff if she would mind continuing the matter “for 30 days,” (until the end of November.) **EXH. PL-31**


When the Plaintiff did not consent to continuing the matter until the end of November, Attorney Kennedy then approached this Court and asked to continue the matter until December 15, 2017, for no other reason but to harass the Plaintiff, despite the fact that by his own admission in an email, he did have the option to file his answer *earlier* as opposed to *later*.

Furthermore, the Pennsylvania Office of the Attorney General does have many other attorneys, and does have another option to accommodate Attorney Kennedy's pressing schedule. They could very easily submit a motion to substitute counsel at this telephonic hearing, just as they have done by substituting Attorney Mary Friedline for Attorney Kennedy in the ADR session for his case Knight vs Bobanic 2:15-cv-00820.

The Plaintiff additionally asks to attend this hearing in person, which would eliminate the burden to the Attorney General's office of initiating the conference call. The Plaintiff does not have the capability and/or knowledge to be the party to initiate a conference call.

For the foregoing reasons, the Plaintiff opposes the continuation of the telephonic hearing on the preliminary injunction currently scheduled at 11:00 am on November 14, 2017, and asks this Court to please allow her to attend the hearing in person, in chambers, which is possible according to this Court's Chamber Rules.

Respectfully Submitted,


Nancy E. Lewen, Plaintiff, Plaintiff, pro se